

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT L. CERESA,

Plaintiff,

-against-

BRIAN RATHJEN, et al.,

Defendants.

22-CV-7070 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

On September 13, 2022, the Court denied Plaintiff leave to proceed *in forma pauperis* (IFP) and ordered him to pay the \$402.00 in filing fees within 30 days. On October 4, 2022, the Court received from Plaintiff a personal check in the amount of \$402.00. A personal check, however, is not an acceptable form of payment. The Court therefore directs the Clerk of Court to return to Plaintiff his personal check.

The Court directs Plaintiff, within 30 days, to pay the \$402.00 in fees using an acceptable payment method. The filing fees must be paid by certified check or money order, payable to: Clerk of Court – SDNY, and can be mailed to: Cashiers Unit – Room 260, 500 Pearl Street, New York, NY 10007. Any certified check or money order must include Plaintiff's case number, 22-CV-7070 (LTS). Payment can also be made by major credit card or cash (if the payment is made in person). Personal checks are not accepted.

CONCLUSION

The Clerk of Court is directed to return to Plaintiff his personal check for \$402.00. The Court directs Plaintiff to submit the \$402.00 in fees for this civil action by using one of the acceptable forms of payment noted above.

If Plaintiff fails, within 30 days of the date of this order, to pay the filing fees using an acceptable form of payment, the action will be dismissed without prejudice to Plaintiff's refiling it.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: October 13, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge